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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919-CW

CLASS ACTION

**JOINT CASE MANAGEMENT
CONFERENCE STATEMENT**

Hon. Claudia Wilken

Counsel for Plaintiffs Grant House, Sedona Prince, and Tymir Oliver (“Plaintiffs”) and Defendants National Collegiate Athletic Association, Pac-12 Conference, The Big Ten Conference, Inc., The Big 12 Conference, Inc., Southeastern Conference, and Atlantic Coast Conference (“Defendants,” and collectively with Plaintiffs, “the Parties”) in the above-referenced actions submit this Further Case Management Conference Statement in advance of the Case Management Conference scheduled for September 21, 2023.

I. MOTIONS

On October 21, 2022, Plaintiffs filed a motion for class certification. *See* ECF No. 208. Defendants opposed. *See* ECF No. 252. The motion is fully briefed and set for hearing on September 21, 2023. The Parties also filed motions to exclude various expert opinions, *see* ECF Nos. 250, 293, which are fully briefed and set for hearing on September 21, 2023, as well. The Parties currently anticipate motions for summary judgment and/or summary adjudication, which will be briefed from April through July of 2024, consistent with the Court’s scheduling order, ECF No. 227.

II. AMENDMENT OF PLEADINGS

Plaintiffs do not presently anticipate any further substantive amendments to the pleadings but reserve all rights in this regard depending on the Court’s orders and/or if additional information comes to light.

III. DISCOVERY

The Parties are proceeding under the Court’s scheduling order, ECF No. 227, and expect to complete fact discovery by the current deadline of October 27, 2023. The Parties have no discovery disputes to raise at this time.

IV. RELATED CASES

Grant House, et al. v. National Collegiate Athletic Association, et al., No. 4:20-cv-03919CW
Tymir Oliver, et al. v. National Collegiate Athletic Association, et al., No. 4:20-cv-04527 CW
Hubbard, et al. v. National Collegiate Athletic Association, et al., No. 5:23-cv-01593-BLF
In re National Collegiate Athletic Association Athletic Grant-In-Aid Cap Antitrust Litigation, No. 14-md-02541 CW

V. SETTLEMENT AND ADR

The Parties have engaged a mediator and participated in mediation sessions. At this time, the Parties have not reached a resolution of this matter.

VI. SCHEDULING

The Parties are proceeding under the Court's scheduling order, ECF No. 227. The Parties are not seeking to alter any deadlines at this time. The current schedule is as follows:

EVENT	DATE
Hearing on Class Certification and <i>Daubert</i> Motions	9/21/23 at 2:30 p.m.
Merits Discovery Cut-off	10/27/23
Merits Expert Disclosure (Including Reports) on Issues at to Which Party Bears the Burden at Trial	12/1/23
Merits Expert Response	1/26/24
Merits Expert Reply	2/23/24
Expert Discovery Cut-Off	3/15/24
Plaintiffs' Dispositive Motion and <i>Daubert</i> Motions (to be filed in a single brief not to exceed 50 pages)	4/3/24
Defendants' (1) Opposition to Plaintiffs' Dispositive Motion and <i>Daubert</i> Motions and (2) Cross-Dispositive Motion and <i>Daubert</i> Motions (to be filed in a single brief not to exceed 70 pages)	5/17/24
Plaintiffs' (1) Reply in Support of their Dispositive Motion and <i>Daubert</i> Motions and (2) Opposition to Defendants' Cross-Dispositive Motion and <i>Daubert</i> Motions (to be filed in a single brief not to exceed 80 pages)	6/28/24
Defendants' Reply in Support of their Cross-Dispositive Motion and <i>Daubert</i> Motions (to be filed in a single brief not to exceed 60 pages)	7/26/24
Hearing on All Dispositive and <i>Daubert</i> Motions and Further Case Management Conference	September 19, 2024 at 2:30 p.m.
Deadline for each side to file motions <i>in limine</i> in a single brief not to exceed 25 pages	Two weeks after the Court issues a ruling on the dispositive motions but not later than 11/22/24
Deadline for each side to file oppositions to other side's motions <i>in limine</i> in a single brief not to exceed 25 pages	Two weeks after motions <i>in limine</i> are filed but not later than 12/6/24
Pretrial conference	12/16/24
Trial Date	1/27/25

VII. TRIAL

Plaintiffs have requested a jury trial. The Parties respectfully submit that it is premature to estimate an expected length of the trial at this time.

DATED: September 14, 2023

Respectfully Submitted,

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E-FILING ATTESTATION

I, Jeffrey L. Kessler, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Jeffrey L. Kessler
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